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DOCKET NO. 1849

8:07W/20

BEFORE WM. TERRELL HODGES, CHAIRMAN, D. LOWELL JENSEN, J. FREDERICK MOTZ, ROBERT L. MILLER, JR.,* KATHRYN H. VRATIL, DAVID R. HANSEN AND ANTHONY J. SCIRICA, JUDGES OF THE PANEL

¹ Plaintiffs initially included 102 actions in their motion, but later amended the schedule to exclude the 28 Northern District of Illinois actions that were closed and pending transfer under 28 U.S.C. § 1404(a) at that time. Two of these actions remain in that status. Because all parties are represented by common counsel and have filed pleadings stating their positions before the Panel, 100 actions are encompassed by this order. The remaining two actions will be treated as potential tag-along actions. *See* Rules 7.4 and 7.5, R.P.J.P.M.L., 199 F.R.D. 425, 435-36 (2001).

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claims or actions appropriate, procedures are available whereby this may be accomplished with a minimum of delay. *See* Rule 7.6, R.P.J.P.M.L., 199 F.R.D. at 436-38.

We are persuaded that the District of Minnesota is an appropriate transferee forum for this docket. This is the district in which approximately one-fourth of the actions are now pending. Also, the transferee judge to whom we are assigning this litigation has developed a familiarity with the issues, parties, and counsel involved in these actions through presiding over two related actions for the past five years.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, the actions listed on Schedule A and pending outside the District of Minnesota are transferred to the District of Minnesota and, with the consent of that court, assigned to the Honorable Joan N. Ericksen for coordinated or consolidated pretrial proceedings with the actions pending in that district and listed on Schedule A.

FOR THE PANEL:



Wm. Terrell Hodges
Chairman

SCHEDULE A

MDL-1849 -- In re C.H. Robinson Worldwide, Inc., Overtime Pay Litigation

Northern District of Alabama

Donna Eddy, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:06-4926
Jacqueline Burt, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-630
Brenda Mitchell, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-730

Eastern District of Arkansas

Tammy L. Gately, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 4:07-290

Central District of California

Mimi Vuong v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-1428
Nancy Austin, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 8:07-301
Kent Alles, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 8:07-571

Eastern District of California

Gladys Garcia, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-157
Scott D. Hyder, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-665

Northern District of California

Kimberly Elam, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 4:07-475

Southern District of California

Bryce A. Amburn, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-650

District of Colorado

Mari A. Danielson, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-602

Middle District of Florida

Natesha M. Hyde v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-208
Tracy L. Buglione, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-228

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Southern District of Florida

Celeste A. Hernandez, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-60504
Maria Teresa Diaz, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-21033

Northern District of Georgia

Terri Kuvach, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-328
Lynn A. Amorose, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-951

Central District of Illinois

Heidi Michelle Poepsel v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-1101

Northern District of Illinois

Evelyn Sparks, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6461
Angela L. Jacobson v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6465
Anne K. Ciaglia, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6507
Joann M. McGill, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6510
Craig Bowen, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6516
Lynette DiNova, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6545
Joanna Elke, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6552
Roy Rogenic, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6553
Michael Blackburn v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6563
Sharon K. Dodson-McDonald, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6564
Brendan M. Clarke, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6581
Amber Vandersommen, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6582
Leslie Nemelka, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6623
Ariel B. Crotty, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-6630

Southern District of Indiana

Catherine A. Wilcox v. C.H. Robinson Worldwide, Inc., C.A. No. 3:06-197

Southern District of Iowa

Arlene J. Murray, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 4:07-141

District of Kansas

Kimberly K. Bethel, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-2129
Lisa M. Quigley, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 6:07-1063

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Eastern District of Louisiana

Morgan J. Wood, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-1269

Western District of Louisiana

Richard Cahn, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 5:07-776

District of Massachusetts

Cheryl D. Braithwaite, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:06-12278

Eastern District of Michigan

Carla M. Strugala v. C.H. Robinson Worldwide, Inc., C.A. No. 5:07-10767

Jennifer L. Alfano, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 5:07-11604

Western District of Michigan

Susan J. McGowan, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-361

District of Minnesota

Jamie L. Benner, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4640

Justin Accola, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4643

Jeffrey Cichosz, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4644

William F. Holmberg, Jr. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4645

Elizabeth Marianne Buck, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4646

Penny M. Cantazaro, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4647

Kathy Cota, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4648

Jill K. East, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4649

Kathleen L. Hambleton, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4650

Elizabeth Hopp v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4651

Joann F. Larson v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4652

Kelley S. Lyons, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4653

Kimberly M. Martineau, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4654

Sandra Steinmetz, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4655

John Gino Giovannoni v. C.H. Robinson Worldwide, Inc., C.A. No. 0:06-4960

Sally J. Dowden, et al., C.H. Robinson Worldwide, Inc., C.A. No. 0:07-89

Amelia M. Alfaro, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-90

Jennifer L. Alfano, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-251

Claudia Alicia Martinez, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-542

Jennifer N. Mcinnis v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-544

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District of Minnesota (Continued)

Beth Shaw, et al v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-595
Shannon Davis v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-1119
Esther Nevarez, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-1563
Nora Hageman, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-1870
Patricia A. Parrish, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-1912
Shannon D. Anderson, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-2749
Christopher L. Sims, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 0:07-2878

Eastern District of Missouri

Heather Lee Markle, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 4:07-428

Western District of Missouri

Leslie D. Birdwell, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 6:07-3193

District of Montana

Jason S. Galloway v. C.H. Robinson Worldwide, Inc., C.A. No. 9:07-45

District of Nebraska

Sharon Haack v. C.H. Robinson Worldwide, Inc., C.A. No. 8:07-130

District of New Jersey

Christine M. Doto, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-1382

District of New Mexico

Dirk Keisesr, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-392

District of Nevada

Debra J. Wentworth v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-145

Northern District of New York

Laura J. Jeneault, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 5:07-656

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Western District of New York

Timothy W. Baierlein, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 1:07-182

Western District of North Carolina

LaToya R. McCants, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-252

Northern District of Ohio

Julie Gallagher, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 5:07-846

Western District of Oklahoma

Timothy J. Bumgarner, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 5:07-278

District of Oregon

Allison M. Cassie, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-333

Eastern District of Pennsylvania

Richelle Maki, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-1238

Jennifer L. Walker, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-1355

Western District of Pennsylvania

Wallace Kip Guenther, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-495

District of South Carolina

Rodney Brewer, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 3:06-3595

Erika DeRoberts, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 6:07-958

District of South Dakota

Angela K. Smoot v. C.H. Robinson Worldwide, Inc., C.A. No. 4:07-4038

Eastern District of Tennessee

Carolyn Baker Hall, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-46

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Middle District of Tennessee

Kari S. Johnson, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-454

Western District of Tennessee

Rhea L. Nadler, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-2228

Eastern District of Texas

Aaron Smith, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 4:07-1

Northern District of Texas

Stephanie Smith, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-409

Western District of Texas

Adelita Dickson, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 5:07-186

District of Utah

Jason K. Bergquist, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-262

Eastern District of Virginia

Thea Winterbottom, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 3:07-390

Eastern District of Washington

Kim M. Flowers, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-104

Western District of Washington

Wendy L. Ferger, et al. v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-705

Eastern District of Wisconsin

Kelly K. Hoell v. C.H. Robinson Worldwide, Inc., C.A. No. 2:07-267

INVOLVED JUDGES LIST**MDL NO. 1849****IN RE C.H. Robinson Worldwide, Inc., Overtime Pay Litigation**

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 Matthew J. Perry, Jr. U.S. Courthouse
 901 Richland Street
 Columbia, SC 29201-2328

Larry W. Propes, Clerk
 P.O. Box 10768
 Greenville, SC 29603-0768

Laura A. Briggs, Clerk
 304 Federal Building
 101 N.W. Martin Luther King
 Boulevard
 Evansville, IN 47708

Lawrence K. Baerman, Clerk
 P.O. Box 7367
 Syracuse, NY 13261-7367

Loretta G. Whyte, Clerk
 U.S. District Court
 500 Poydras Street
 Room C-151
 New Orleans, LA 70130

Marge Krahn, Clerk
 P.O. Box 9344
 Des Moines, IA 50306-9344

Michael E. Kunz, Clerk
 2609 James A. Byrne
 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106-1797

Michael W. Dobbins, Clerk
 Everett McKinley Dirksen
 U.S. Courthouse
 219 South Dearborn Street
 Chicago, IL 60604

Patricia L. Brune, Clerk
 1400 U.S. Courthouse
 222 N. John Q. Hammons Parkway
 Springfield, MO 65806

Patricia L. McNutt, Clerk
130 Howard H. Baker Jr. U.S. Courthouse
800 Market Street
Knoxville, TN 37902

Patrick E. Duffy, Clerk
P.O. Box 8537
Missoula, MT 59807-8537

Perry D. Mathis, Clerk
140 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
Birmingham, AL 35203

Richard W. Wieking, Clerk
400-S Ronald V. Dellums
Federal Building
1301 Clay Street
Oakland, CA 94612-5212

Robert D. Dennis, Clerk
1210 U.S. Courthouse
200 N.W. 4th Street
Oklahoma City, OK 73102-3092

Robert H. Shemwell, Clerk
1167 U.S. Courthouse
300 Fannin Street
Shreveport, LA 71101-3083

Robert M. March, Clerk
U.S. Courthouse
333 Lomas Boulevard, N.W.
Albuquerque, NM 87102

Robert V. Barth, Jr., Clerk
U.S. District Court
P.O. Box 1805
Pittsburgh, PA 15230-1805

Rodney C. Early, Clerk
304 U.S. Courthouse
68 Court Street
Buffalo, NY 14202-1368

Ronald C. Weston, Clerk
452 Federal Building
110 Michigan Street, N.W.
Grand Rapids, MI 49503

Sarah Thornton, Clerk
Clerk's Office - Attn: Sherry Jones
U.S. District Court
595 Main Street
Worcester, MA 01608

Sherri R. Carter, Clerk
G-8 U.S. Courthouse
312 North Spring Street
Los Angeles, CA 90012

Sherri R. Carter, Clerk
Ronald Reagan Federal Bldg.
& U.S. Courthouse
411 West Fourth Street
Santa Ana, CA 92701-4516

Sheryl L. Loesch, Clerk
U.S. District Court
300 North Hogan Street
Suite 9-150
Jacksonville, FL 32202-4271

Sheryl S. McConnell, Clerk
740 Mark O. Hatfield U.S. Courthouse
1000 Southwest Third Avenue
Portland, OR 97204-2902

Sofron B. Nedilsky, Clerk
362 U.S. Courthouse & Federal Building
517 East Wisconsin Avenue
Milwaukee, WI 53202

Thomas M. Gould, Clerk
242 Clifford Davis Federal Building
167 North Main Street
Memphis, TN 38103

W. Samuel Hamrick, Jr., Clerk
4290 Edward J. Schwartz Federal Building
880 Front Street
San Diego, CA 92101-8900

William G. Putnicki, Clerk
G-65 John H. Wood, Jr.
U.S. Courthouse
655 East Durango Boulevard
San Antonio, TX 78206

William T. Walsh, Clerk
Martin Luther King, Jr. Fed.
Bldg. & U.S. Courthouse
50 Walnut Street, 4th Floor
Newark, NJ 07102

RULE 1.6: TRANSFER OF FILES

(a) Upon receipt of a certified copy of a transfer order from the clerk of the transferee district court, the clerk of the transferor district court shall forward to the clerk of the transferee district court the complete original file and a certified copy of the docket sheet for each transferred action.

(b) If an appeal is pending, or a notice of appeal has been filed, or leave to appeal has been sought under 28 U.S.C. §1292(b) or a petition for an extraordinary writ is pending, in any action included in an order of transfer under 28 U.S.C. §1407, and the original file or parts thereof have been forwarded to the court of appeals, the clerk of the transferor district court shall notify the clerk of the court of appeals of the order of transfer and secure the original file long enough to prepare and transmit to the clerk of the transferee district court a certified copy of all papers contained in the original file and a certified copy of the docket sheet.

(c) If the transfer order provides for the separation and simultaneous remand of any claim, cross-claim, counterclaim, or third-party claim, the clerk of the transferor district court shall retain the original file and shall prepare and transmit to the clerk of the transferee district court a certified copy of the docket sheet and copies of all papers except those relating exclusively to separated and remanded claims.

(d) Upon receipt of an order to remand from the Clerk of the Panel, the transferee district court shall prepare and send to the clerk of the transferor district court the following:

- (i) a certified copy of the individual docket sheet for each action being remanded;
- (ii) a certified copy of the master docket sheet, if applicable;
- (iii) the entire file for each action being remanded, as originally received from the transferor district court and augmented as set out in this rule;
- (iv) a certified copy of the final pretrial order, if applicable; and
- (v) a "record on remand" to be composed of those parts of the files and records produced during coordinated or consolidated pretrial proceedings which have been stipulated to or designated by counsel as being necessary for any or all proceedings to be conducted following remand. It shall be the responsibility of counsel originally preparing or filing any document to be included in the "record on remand" to furnish on request sufficient copies to the clerk of the transferee district court.

(e) The Clerk of the Panel shall be notified when any files have been transmitted pursuant to this Rule.

